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Patent  
Attorney's Docket No. 1032817-000009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of ) **MAIL STOP**  
Kagumi Moriwaki ) Group Art Unit: 2625  
Application No.: 10/811,996 ) Examiner: Saeid Ebrahimi Dehkord  
Filed: March 30, 2004 ) Confirmation No.: 2677  
For: DATA COMMUNICATION DEVICE, )  
COMPUTER READABLE MEDIUM )  
AND METHOD FOR )

## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This election is filed in response to the Office Action dated October 20, 2008.

In the Office Action, the Examiner identified six (6) inventions. The Examiner required the Applicants, under 35 U.S.C. §121, to elect a single invention for prosecution. The six inventions identified by the Examiner are:

- I. Claims 1, 5-6;
- II. Claims 2, 8;
- III. Claims 3, 12 and 14;
- IV. Claims 4, 9;
- V. Claims 7, 13 and 16; and
- VI. Claims 10, 11 and 15.

Without conceding to the appropriateness of the restriction requirement or the characterization of the claims, the Applicants elect, without traverse, the subject matter of Group II, i.e. claims 2 and 8. Applicants understand that claims 1, 3-7 and

9-16 will be withdrawn from prosecution. Applicants reserve the right to file a divisional application or applications.

An early examination and favorable action on claims 2 and 8 are respectfully requested.

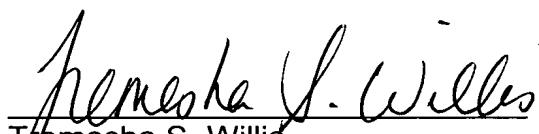
In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 20, 2008

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